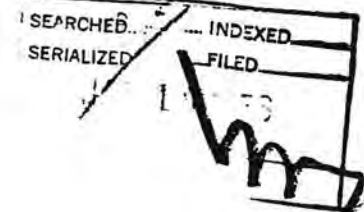


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# ***YOU ARE ON A BLACKLIST...***

By Henry Paynter



... if you're like one of every four working Americans. The blacklist is drawn up by U. S. government agencies and is composed of secret "security" files on 18 million ordinary U. S. citizens. Many of these files are made up of back-fence gossip, vicious lies, wild, uninvestigated suspicions, the mouthings of sick minds. You never know, until you're hit, if there's such a file on you. From it can come charges which you may never even be told, but which can get you fired from your job—as it did Joe Barnow—and place you, your wife and your children under a dark cloud forever.

**A** HARD-WORKING YOUNG PLUMBER we will call Joe Barnow volunteered for armed service in World War II, and after getting his honorable discharge went to work for a West Coast contractor, got a raise, was promoted to foreman, and decided to get married.

The new Mrs. Barnow was an unusual woman, a successful advertising woman and editor, who owned and managed a five-apartment building.

The Barnows were liked by their neighbors. Joe was a Methodist and his wife also was a church-goer. They were active members of their respective unions. They joined a young people's club of one of the two big political parties. Joe as a kid had been a Boy Scout, his wife a Camp-fire Girl. Other than that they had never belonged to any organizations.

For reading matter they took a large West Coast daily newspaper and subscribed to *Popular Mechanics*, *McCall's*, and the *Stock Breeders Gazette*. Like many Western city people they dreamed of some day owning a ranch.

Joe got another raise and commendation. It looked like a happy and successful life. Then, one day, Joe's boss took a defense contract on a West Coast air base where a special weapons project was being worked on. Joe was assigned to handle plumbing blueprints.

Shortly afterward Joe was fired out of hand, with no official explanation. All he could get from anybody was a murmured: "Joe, they say you are supposed to be disloyal—or something."

Joe went home, bewildered, and told the Mrs. She said: "Fight it—unless there's something you're afraid of."

So Joe went to the U.S. District Attorney, the FBI field office, the main city offices of Air Force security, and U.S. Engineers Corps security. Nobody seemed to have any idea of what it was all about. But they tried to encourage him. They said he had nothing to worry about. It didn't necessarily mean he was disloyal. It could be—something else.

In fact, the subsequent government directive applying to men in Joe Barnow's fix, is explicit: "Denial or revocation of a clearance does not necessarily carry an implication that the individual is disloyal to the United States."

Perish the thought! The same directive goes on to reassure the Joe Barnows of the other things they could be denied clearance for. Uncle Sam says to them in effect:

"Don't worry, friend, I'm not saying you are necessarily a traitor. You could also be a crook, a jailbird, crazy, sick with an unnamed disease, irresponsible, a drunkard, a homo, or one of those guys that goes around showing himself to little girls."

Uncle Sam not only says that to the man accused, by registered "confidential" letter; in effect he says it to all the man's friends, neighbors and co-

workers. For how can you defend yourself without getting affidavits from the people you know, in your home neighborhood, and in the shop? Everybody you ask for an affidavit knows what's in the directive because it's a public document, up on the bulletin board. They can read, can't they? Then everybody you know knows that you're supposed to be "disloyal—or something."

"Fight it, Joe," said his wife, bravely. And he did. He wrote his congressman. He even wrote the President of the United States. He was punching shadows. Nobody told him anything. He got another job. It turned out to be temporary. No contractor wants a wrestling match with the combined U.S. security forces. In fact, every job after that was temporary. Joe hired a lawyer. He wasn't licked yet. Half his worry was about what it was he was supposed to have done—the nagging *something*.

If Joe had given up at any stage, then his name and the fact that he was fired, and didn't fight, would have gone on a government blacklist as someone who, in effect, "admitted" he was a security risk! It would have kept him out of a whole range of jobs. His name might have gotten on one of several privately circulated blacklists, which get around the federal law against blacklists by operating as associations publish-

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So much for his qualifications. Since anyone who criticizes the security program immediately becomes suspect himself, we offer the following additional information on him.

In 1945 he lectured to a distinguished Washington forum, presided over by William Batt, on "The Coming Third World War." He has never joined any subversive or "front" organizations, nor read their literature except in the line of duty. He is a tenth generation American and his ancestors include famous patriots. He is an officer of the Laymen's Club of the New York (Episcopal) Cathedral.

BLUEBOOK commissioned him to make a fresh study of the security problem direct from Washington sources. This article is the result.

—THE EDITORS

ing bulletins under a "free press" Constitutional protection. By my estimates, Joe would thus have been deprived of from a third to two-thirds of all possible chances of making a living.

But that's only a starter. By this federal blacklisting, an utterly false, whispered, anonymous accusation would not only have condemned him for life to second-class citizenship, but might have condemned his children and his children's children. It might also have condemned his friends, relatives, neighbors and casual associates. Such "guilt by association" had already ruined one man just for going to a picnic with a fellow factory worker in a new city.

Joe fought. Maybe, if he had known what he was taking on, he would have given up. What was it that hit him?

Let's leave Joe sweating it out while we look behind the scenes.

Everybody is very thoroughly aware of the still-present danger that the cold war with Russia could flare into a hot war, with hydrogen bombs then wiping out our cities and perhaps our national existence.

Senator Joseph McCarthy and others have made great political hay for themselves out of what they called the failure of various government officials to take strong measures to prevent Communists from infiltrating government agencies and defense plants.

As a result there has been a sort of panic in government security quarters. Without any real kind of an over-all plan or control, more than 70 government agencies, collecting for the most part neighborhood gossip and old mailing lists, have now built up secret "security dossiers" on more than 10 million ordinary Americans. And these agencies are working day and night to increase the list.

The 10 million total seemed high to me until I checked into it myself. The figure was given by the man who should know—a member of the U.S. Subversive Activities Control Board, former U.S. Senator Harry M. Cain. Cain says, in effect, that the way the government is running the internal security program, it's helping Russia and damaging the American way of life.

Actually, no agency of government has any accurate figure on how many such "security" dossiers there are. My own investigation indicates that Sen. Cain's figure is too low; that there are about 18 million such dossiers—and the number is growing every day.

A good many Americans seem to think the program applies only to civilian government employees. They are wrong. The overwhelming majority of the 18 million are civilian workers employed by private companies, and their sons and grandsons in uniform.

What no one has perhaps gotten around to telling you yet is that YOUR NAME may be on one of those 18 million dossiers. The chances are roughly one in four that it is.

Maybe you never did a wrong thing in your

life, not even a little mistake. It still doesn't matter.

You could have relatives, or friends, or fellow workers—or go on a picnic with somebody. Maybe when you were younger you had a drink too much and took a swing at somebody; maybe your wife miscalculated and had a check bounce at the grocery store. Maybe none of these things happened, but you just had a neighbor, not even mad at you, just plain nuts. *That would be enough to do it.*

Today there's no way you can find out if your name is on one of those dossiers. The only way you will ever know is if the roof falls on you. Or your son—or your grandson.

All that has to happen is that this crazy neighbor whispers something to the government; it doesn't even have to be true!

So let's say your name is on one of the 18 million dossiers. One day, without asking your permission, your boss says you have to walk to your bench past a certain "classified" assembly line. You're not handling any secret papers, you're just walking somewhere you didn't walk before, but you have to be cleared for security. They give you some papers to fill out. That will do it.

Maybe your boss doesn't have a defense contract; how do you know he won't take one tomorrow? There's no kind of business or profession that doesn't do work for the government defense program.

But it also applies to all draftees. And their relatives! Are you sure you will never have a relative in the armed forces?

Maybe you think you are not likely to have silly charges made against you. But J. Edgar Hoover told publicly about a man who reported his neighbor was a Communist, and when they got around to checking up, it turned out the neighbor was merely ignoring the accuser's "Keep Off the Grass" sign.

The FBI, to my knowledge, conscientiously tries to screen out such mad nonsense, but what the FBI can do is only a drop in the bucket.

So on account of a dossier against you based on a rumor from a crazy neighbor, you're in trouble.

If you fight, it's at your own expense. You are fighting the whole power of the government, in a legal no-man's land, with no rights as a citizen. Any friend who helps you may go into a dossier, too.

If you don't fight, your name goes into the government and private blacklists, which means that you—and your children—may well be deprived not only of jobs, but of chances of education, government pensions and other benefits.

The blacklist will be used against your son when he is drafted. It can get him an "undesirable" discharge, depending on whether or not he can afford to hire a good lawyer and fight it.

This "tainting of the blood"—the extension of guilt to unborn descendants—was a device of the Middle Ages which was supposedly abolished forever by the U.S. Constitution.



It's hard to believe? Listen to what happened to one draftee: He was handed a statement to sign accepting an "undesirable" discharge. One of the anonymous whispered accusations against him was that "you are reported to have a mother-in-law" who was rumored to have been for a long time "lying low" as a Communist, but was expected to "rise up" later and join in a "peace movement." The lady in question had, indeed, been long underground—in a cemetery—since the accused soldier was 10 years old.

All right, so you'll agree the program may have some tough angles. Just the same, hasn't it uncovered a lot of Communists in dangerous places?

A man who should know is Thomas J. Donegan, chairman of the key Inter-departmental Committee on Internal Security. Donegan has testified to Congress that he has "no knowledge" of any Communist being "flushed out" by the massive program.

Who designed the program? Nobody; it "just grew." In the most desperate international crisis in our entire history, the program was intended, by conscientious men, to protect you and me and our families from being evaporated on H-day. It was supposed to keep at least our most important secrets from Russia. Has it done this? Let's look at the record.

Every American capable of reading a newspaper knows about:

1. Dr. Klaus Fuchs, top-ranking British scientist who worked at Los Alamos and knew most of our secrets, was a Russian spy all along and said he gave everything to Russia.
2. British diplomats Maclean and Burgess, who served on the joint U.S.-Canadian-British atomic committee, and knew everything, smuggled documents daily to Russian embassies to be photostated.
3. The Hiss, Goldberg and Coplon trials, which demonstrated that the Russians had been successful in planting spies in our government.

From these revelations alone, not to mention many others, including fantastic security blunders by the U.S. government itself, we can assume Russia has full details on almost all our important secrets. One big reason is that Americans just don't know how to keep secrets.

Here is a classical demonstration of how hard it is for most of us Americans to put our minds seriously to such work: Toward the war's close I was out of uniform and in Washington as a newspaperman again. I thought for awhile everybody was trying to tell me about the super-secret atomic bomb program. I wasn't supposed to know; I didn't try to find out. But a suburban neighbor told me most of the atomic secrets. He was an officer of a large chemical company and attended a convention at

which several men casually told him all about it. I learned about uranium, plutonium, thorium, heavy water, cobalt, atomic fission and hydrogen fusion, and about Oak Ridge, Hanford, Los Alamos, Stagg Field and Manhattan District.

Yet when David E. Lilienthal as head of the TVA asked an official of Manhattan District (the code name for the whole atomic project) why Oak Ridge was using so much TVA power he was told: "We are making two billion dollars worth of rear ends of wooden horses. Don't ask me why."

This had been thought up by a security officer. When it got to then Senator Harry Truman's ear, he tried to subpoena General Leslie Groves, head of Manhattan District, to testify before the Senate War Investigating Committee. Groves ignored the subpoena. Truman went to General Marshall and to Secretary of War Stimson, who separately decided the future President was not a good enough security risk.

Meanwhile, a former newspaper associate of mine asked in the War Department Bureau of Public Relations for a relatively routine file and instead received—and read—General Marshall's copy of a top-secret publication giving all atomic secrets. Just a clerical mistake!

A foreign intelligence officer of my acquaintance told me that news of the atomic test was generally known in his country.

The final detail—that the bomb worked and would be used as soon as possible—was told me in the National Press Club bar by a top U.S. security officer who had been assigned to protect the secret. I hadn't asked about the bomb and did not want to know.

Allen Dulles, head of the Central Intelligence Agency and thus the man who should know, said in a rare public interview that the U.S. is *still* giving away too many vital secrets to Russia.

### Wide-Open Secrets

Among other secrets of the not top-important variety, Uncle Sam himself politely posted in the lobbies of public buildings the locations of permanent Nike and radar installations which protect our cities. The postings were for the purpose of soliciting construction bids.

In October, 1955, the Defense Department released, without any security classification, a 60-page list of all U.S. defense installations everywhere, their precise locations, and distance from principal cities around the world.

At Geneva, Russia kidded the U.S. by putting footnotes on atomic scientific papers attributing information to U.S. publication. Yet "security" has prevented publication of thousands of atomic-inspired medical papers which contain no secrets and would save lives.

I don't know how many security agents we have working on our security program, but relatively few are working on it full time. The FBI has 6,400 agents, but they enforce 120 ordinary laws, have

scores of other duties and if there are the equivalent of 2,000 first-rate agents working exclusively on this program, I would be surprised. Now, how long does it take for a "full field investigation," complete enough to determine once for all whether a given man is a security risk or not, and also to protect the man's own rights. My estimate is one week—40 hours.

Now, the FBI simply assembles material, leaving the evaluation up to others.

But say we take the best 2,000 agents the FBI has and put them to work exclusively in checking the 18 million existing security dossiers—to see if they're accurate. It takes on the average, one agent, per case, per week. Allow a two-week vacation, that's 50 cases per year per agent, or 100,000 per year for 2,000 agents.

So how long before they catch up on 18 million dossiers? One hundred and eighty years.

But lacking this sort of FBI check, does the government in any given case really know what it is doing?

How about Wolf Ladejinsky? Relatively insensitive Department of Agriculture said he was a menace; relatively sensitive U.S. State Department said he was safe. Caught out with the headlines showing, the government apologized. The conservative N. Y. *Times* said in an editorial: "A general reform of the entire security program is still essential."

Or take the case of a man who writes instruction manuals for the U.S. Navy, Joseph Gaberman. They tried to get him to resign his Navy reserve commission because he was a security risk. He fought, and won hands down. Then, on the identical record ("guilt by relationship") the Navy absent-mindedly fired him as a civilian employee.

There were the cases of the U.S. Maritime Academy and Coast Guard Academy cadets who were denied commissions because of "guilt by relationship." Their cases were in the papers, so the government apologized and gave them the commissions.

In order to protect our families in an atomic bombing, Civil Defense Administrator Val Peterson, a trusted friend of President Eisenhower needed full information on the radioactive fall-out resulting from a bomb explosion. But Atomic Energy Commission security officers didn't think Peterson and his staff were safe enough to have the information.

Finally, our botched-up security program is not getting for our government the full cooperation of all the scientists it needs if we are to keep ahead of Russia in the race of weapons development. Scientists need to think; to think their best they need the stimulation of other first-class minds. General Leslie Groves gave me a prime example of this one day.

Security controls, he said, had definitely slowed down the perfection of the atomic bomb. The scientists were continually telling him that because they were separated, at Chicago University, Los Alamos, and other places, they were not getting the free exchange of information and the vigorous informed criticism which they needed. At the time there was

not a single scientist who felt confident the bomb would work; their research had come to a standstill. In desperation, Gen. Groves brought them together in one place, talked to them like "a Dutch Uncle," telling them they'd stay together until they solved the problem.

The scientists reached a very high state of enthusiasm just by being able to discuss their problem informally. In the crowded room, two men were conversing when Enrico Fermi, who was talking to another near them, whirled around, snapped his fingers, and said: "That's it!"

"What?" said the astonished conversationalists, who had been talking about something else entirely.

And from Fermi's excited recapitulation, it turned out that by misunderstanding a conversation he had half overheard, he had, in effect, invented the atomic bomb.

### **Congress Is Aroused**

Fortunately there's some hope that the worse abuses of the security program may someday be corrected, for Congress has become aroused and is taking several long looks at the mess.

U.S. Senator Hubert H. Humphrey (D., Minn.) conducted an investigation for nearly a year and persuaded Congress to pass a resolution creating a Bi-Partisan Commission to investigate the whole problem and report back to Congress on precisely how the program should be corrected to "protect the national security and preserve basic American rights." Several other groups, both governmental and private, are also studying the problem.

Well, by now you've got the picture of what hit Joe Barnow. Let's go back and see how he's doing.

A year has passed. Nothing has happened.

Joe's lawyer prods Joe's Congressman again. This time the Congressman gets a letter from the general in charge of Special Weapons Projects. He says they've been looking everywhere for Joe but can't find him. Will the Congressman please help? They want Joe to fill in an application for security clearance.

Say, this sounds pretty good, doesn't it? Looks like the Air Force has investigated, found they made a mistake, and now they're going to make everything all right.

### **Action for Joe**

So Joe writes the general and suggests he just send a letter to Joe's same old address, where he has been all the time. More time passes. Then Joe gets the application for clearance, fills it out, mails it right back.

Now Joe gets action, all right. Practically by return mail, 14 months after he was fired for being disloyal—or something—Joe gets a form letter from "Western Industrial Security Board." The form letter says Joe's clearance has been denied, but he can appeal it.

Impossible! Didn't the Air Force just ask him



to apply for clearance? What happened? Could it be the Air Force just got him to apply for clearance so they could legalize his firing—of 14 months ago?

There is a note attached to the form letter. Now there is finally a name to the formless charge. The total accusation against Joe Barnow was that he was living with his wife who was "stated to be engaged in the activities of an organization which is Communist."

This time it was his wife's turn to go to pieces and Joe's turn to tell her she'd have to fight. But how could she fight? There was no charge against her. She wasn't asking for clearance.

They got another lawyer. The record doesn't show what happened to the first one. He wrote the Board and asked for more details. They came through with eight more words: "The organization referred to is the Communist Party."

And that was the most they ever got out of the government. No names, dates, places, anything.

There was only one flaw in the government's case against Joe Barnow. He pleaded guilty to living with his wife, all right—only she had never been a Communist.

Mrs. Barnow, near hysteria, stayed up all night with a sister, trying to recall what on earth she might have done in the years before their marriage to bring this ruin upon Joe's head. The sister kept prodding and at last Mrs. Barnow remembered an episode.

Years before marriage she had gone to Los Angeles, dined in a restaurant frequented by newspaper folk with a woman editor she knew. During dinner they were approached by a personable young man who asked a contribution for some cause. In the end Mrs. Barnow, who had had several drinks, gave him a check for six dollars. Now she could not remember the name of the man or of the cause. She had burned all her old papers when she married Joe. She felt sure that her banker, an old family friend, would have stopped payment if the check had had the word "Communist" on it. Could this have been what ruined Joe?

Next day FBI agents interviewed her. The only cogent point they questioned her on was why her name was on a Spanish Anti-Fascist Refugee Committee letterhead. She had no idea. Nobody had ever asked her permission. She had never given anybody permission. The only time she'd ever heard the committee mentioned was once when she attended a lecture given by Count Sforza.

Count Sforza was an Italian diplomat sponsored during the war by the U.S. State Department as possible leader of an anti-Mussolini group.

As a good citizen should, Mrs. Barnow volunteered information to the FBI about the six-dollar check.

Then, after 15 months of fooling around, the government wanted to give Joe only 10 days to get his defense ready. He had no power to subpoena witnesses or make anybody testify for him. But Joe's lawyer managed to get him more time.

Still, how do you go about proving that you and your wife have never been Communists? What would you do? Think it over. You might as well; you may have to.

One friend told them he would not sign an affidavit they needed. He was afraid the government would find a way to cancel his pension.

Five other friends managed not to send in their affidavits until too late. But there were enough—covering 31 years of respectable living.

### A Hearing at Last

And so, 20 months after, Uncle Sam got Joe fired for disloyalty—or something—he got around to letting Joe have a hearing. Mind you, all this time Joe hadn't been able to get a steady job.

The hearing only took a couple of hours. They considered the affidavits. All in order. The chairman said to Joe: "The only charge against you is living with your wife."

Joe pleaded guilty and as a voluntary witness, under oath, subjected himself to questioning. He got all "A"s and didn't lose his temper when the government lawyer asked: "Did your wife ever try to get a look at the blueprints?"

Joe just answered: "No."

Then they were through with Joe and satisfied. Mrs. Barnow insisted on testifying under oath. She swore she had never belonged to anything that was even a pale pink. Also that she thought any American who was a Communist in 1954 was a traitor to his country.

The government lawyer asked her if it wasn't a fact that when she got rid of those other old papers she had burned her card as a regular member of the Communist Party. She said no.

That was all there was to it. They cleared Joe then and there, and undoubtedly would have cleared Mrs. Barnow if there had been anything she could have been cleared for.

It would be nice to write a happy ending. Unhappily, another worker had been entrenched in Joe's job for nearly two years, so Joe couldn't get it back. The record does not show that he was reimbursed for lost earnings. He could not be repaid for any part of the cost of his defense. Of course, the government didn't apologize for its slap-happy boner—there was no publicity about the case. The government only apologizes for security blunders when it is caught out in the headlines.

Joe's name is one I made up, but the case is real, summarized from Case History No. 119, in "Case Histories in Personnel Security" by Adam Yarmolinsky, a Washington lawyer who became interested after defending some of the accused.

### Blood-Curdling Cases

Another study, by Rowland Watts, is concerned with the case histories of draftees who have been asked to accept "undesirable discharges," often as the result of rumors about them from unnamed

persons, or because of something some relative is said to have done. (And for every case history cited by these two reports, Congressmen can show you 10 others, from protesting letters which have been coming in by the thousands.)

The draftee cases, reported by Watts, are in some respects more blood-curdling even than Yarmolinsky's.

There's no question that the armed services have a real problem. Treason on H-day could lose us the war. The armed services have a right to reject *before induction* any suspect on good grounds, provided they don't ruin his life. After induction, the soldier has a right to be judged on his performance as a soldier, not on his civilian politics, nor on acts of his relatives or associates.

Is it Constitutional for the armed services to pass judgment on men's civilian politics?

From the Watts case histories, this is patently what the armed services are doing, for some cases are based on actions done in childhood, even in infancy, or on things the man did after return to civilian status—but before he received his final discharge.

While an accused soldier can be assigned unformed counsel if he asks for it, such counsel works under obvious handicaps. The accused draftee is wiser to pay for his own civilian lawyer, judging from the record. But he can't get back the fees or other defense expenses, even if he is found innocent.

Oh, excuse me. There is *no* way he can be found innocent. The best he can hope for is that a hearing board will decide he should be "returned to former status." That doesn't protect him against a higher board's secretly overruling the lower board—without giving the draftee or his lawyer a hearing. He can never be sure the government won't finally present him with a parchment document suitable for framing, which says in huge letters, readable across the room, under the beautiful seal of the U.S.:

### UNDESIRABLE DISCHARGE

from the ARMED FORCES of the  
UNITED STATES of AMERICA

A man who receives such a discharge automatically is barred from most jobs, from all veterans' benefits including educational grants, and from many other areas of higher education, where security is today required because of government defense work in laboratories.

It stays in government files as a silent accusation against his children.

The star-chamber atmosphere has an even graver undertone. One draftee said that military investigators asked him if he had not known when he went to a certain university that there were many Jews enrolled there, and sharply questioned him on why he had joined the National Association for the Advancement of the Colored People.

The father of one young draftee is a distinguished

Roman Catholic layman who has been an active defender of civil liberties. The son was discharged from the Reserve because he had expressed doubt that it was morally right to bomb civilian centers. When the lad was thereafter drafted, he declined to sign the so-called loyalty certificate DD98, on the ground that it violated his Constitutional rights, since its language made it appear that his loyalty as a Catholic to the Pope put him under the domination of "a foreign power."

On the basis of his father's activities, and his own two expressions of doubt, a letter of allegations against him was filed, which neither he nor his attorney father were permitted to see. They asked for and received a hearing at which the draftee was accused of being "an idealist who believes in speaking out for what he thought was right." He was also accused of reading the *Reporter Magazine*, which, the charge said, was on a prescribed list. The magazine is not.

### Eight-Year-Old Subversive

Without advance notice, he was told he was being rushed out of the Army with an "undesirable" discharge. His father got a Federal Court restraining order. The Army issued the discharge after knowledge of the order, in a great hurry.

The reason the charges are known is that the indignant Federal judge declassified them on the spot when a security officer told him he couldn't read them. The case was in the U.S. Circuit Court of Appeals at the time of writing.

A charge against one draftee was that he had joined a subversive organization before the age of nine; against another that in high school he wrote an essay critical of the capitalist system.

The most remarkable charge of all was the following, against a draftee: "You have a father who is reported to have said that if Communism offered anything good he would accept it."

Other charges accused the draftees of being rumored to have been related to parents, grandparents, brothers, sisters, step-mothers, and in-laws who were reported to have done undesirable things, or thought undesirable thoughts, or joined undesirable organizations, or, in some cases, even rumored to have been Communists.

One soldier had this charge to defend himself from: "You possess a personality trait (passive dependency reaction, chronic, severe)."

The security program also extends to maritime workers employed on ships, who now must have clearance cards issued by the U.S. Coast Guard. When these papers are withdrawn or "screened," the individual has the right of appeal.

A maritime butcher cited by Yarmolinsky was a very religious Greek Catholic choir singer, who swore the only organization he had ever joined beside his union was the Catholic Sokol. His good references included priests. He had three brothers, one a policeman, and two others who had been "screened"



from maritime work (denied clearance), but who apparently had just gotten other jobs and hadn't fought for clearance.

The accusations against the butcher were (a) that he had relatives who had been "screened," and also (b) that he was "sympathetically associated with Communism in some way." Apparently nobody in the government, including the members of the Board, knew what way.

The butcher testified that he was never associated with any kind of activity other than church or union, that he had no reason to believe his brothers ever had been. The Board gave him some of the most splendid double talk on record, and finally one member pleaded with him to convict himself by thinking up something against his brothers, as follows:

"Just a little more thinking along this line to see just what, and where the source of contamination lies; because it doesn't seem reasonable that all members of the family would have been screened, unless there would have been some basis for it."

This appears to be the first time that the common doctrine accepted by security officers—that a man is guilty until proved innocent—has been accepted by an appeals board.

Since I have criticized the security program so vehemently, it is only fair that I make my own suggestions for reform:

### 1. Immediate Reforms

Pass a law giving attorneys and witnesses for accused persons daily expenses, to apply in those cases where the government was mistaken. Also give the accused the right to go before any Federal judge or Commissioner and obtain subpoenas for witnesses—including accusers and security officers—and for all pertinent records. This alone could eliminate 90 percent of present abuses.

Give the accused man at least the legal rights a murderer would have. This includes the right to face and question his accuser; the right to cross-examine witnesses against him; the right to a public hearing; the right to a judgment by a jury of his peers; the right to be charged only in the proper form, with specific violations of law; the right to be protected against cruel and unusual punishment.

If he is in uniform, there should be no violation of his right to be tried by military court only for specified military offenses under military law, with all his rights thereunder protected. Are not high Army officers criminally liable for the execution of the program which has violated these rights?

Do away completely with the "undesirable" discharge, except for serious *military misbehavior* deemed not correctable. Put an immediate stop to charging a draftee on the basis of civilian actions or relationships.

Let's take a realistic attitude towards police problems, which is what security problems come down to (as distinguished from intelligence prob-

lems). Police in the U.S., as everywhere else, depend to a major degree upon unverified anonymous information to *begin* investigations. But before they can use this information against a suspect, it must be converted to real evidence that will stand up in court. Let security agencies file the rumors, but make it a crime for a security officer ever to use them against a suspect in a form that will not stand up solidly in an open court.

Stop the double talk. Attorney General Brownell attempts to find a precedent for the use of anonymous information when he cites its use in parole activities. But he knows that in parole activities such information can only *help* the convicted man by moderating his sentence. It has no relation to the government's damning a man and his descendants on whispers. When spokesmen say a government employee has no right to his job, they dodge the fact that he does have a right not to be converted, along with his descendants, into second-class citizens.

End at once the nonsensical pretense that we can protect either the national security or individual rights by maintaining 18 million individual security dossiers.

### 2. Long-Range Reforms

Intelligent supervision of the whole security program is needed. This can never be done in public; to protect the nation's security and individual rights, we need a body of men, appointed for life, of the caliber of Supreme Court justices, who can see all secrets and know all personalities in all government intelligence and security activities. They should have the right to question the President, report directly to Congress, and ask the U.S. Supreme Court direct for remedial action.

Intelligent regulation is needed. This can be done publicly. If the recently established Bipartisan Commission works, it should be made permanent. This body could receive any *non-classified* information from all security agencies and after public hearings, recommend changes by law or by executive order. It would specifically try to correct abuses promptly.

Intelligent administrative direction is vital. Both our intelligence and security operations are a hopeless hodge-podge at the present time. At least a dozen agencies are working zealously in some duplicating fields—and there is no way for the citizen to know whether they are protecting the nation and the nation's citizens efficiently. We should have the best man we have as administrative boss, with full rights; this can be done without injuring *esprit de corps* of component agencies which could remain under present departments.

And such a man should be able to select, train and control an organization of superior investigators, much as J. Edgar Hoover has done over the past 30 years with the FBI.

—BY HENRY PAYNTER